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**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/011,811	07/06/99	KOKUSH	

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PM92/0914

EXAMINER

BRAHAN, T

ART UNIT

PAPER NUMBER

3652

DATE MAILED: 09/14/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/011,811

Applicant(s)

KOKUSH et al

Examiner

Thomas J. Brahan

Group Art Unit

3652



☒ Responsive to communication(s) filed on Jul 6, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-4 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-4 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☒ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

1. The disclosure is objected to because of the following informalities. The specification fails to use the reference numerals consistently. For example, the hinge link is element 17 on line 2 of page 12. It is denoted with reference numeral 27 on line 11 of that page and later in the specification, with reference numeral 19 in line 13, 15 and 20 that page, with reference numeral 47 on line 6 of page 14 and later in the specification, and as with reference numeral 21 on line 10 of page 14. Claim 4 considers elements 6 and 21 as this hinge link. Appropriate correction is required.
2. The drawings are objected to under 37 C.F.R. § 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the structure of the hinge link and the structure of the parallelogram mechanism of claim 1 must be shown, or the features must be canceled from the claims. No new matter may be entered.
3. The following is a quotation of the first paragraph of 35 U.S.C. § 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.
4. The specification is objected to under 35 U.S.C. § 112, first paragraph, as failing to provide an adequate description of the claimed invention. The structure of the hinge link is unclear. It is also unclear as to how element 22 can be considered as a "mechanism of parallelogram type" as recited in line 10 of claim 1. It is unclear as to how the driving block, the driven block and the cable can function as a boom structure, or especially as a telescopic boom with a rotating inner boom element, as claim 2 appears to be claiming.
5. Claims 1-4 are rejected under 35 U.S.C. § 112, first paragraph, for the reasons set forth in the objection to the specification.
6. The following is a quotation of the second paragraph of 35 U.S.C. § 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which applicant regards as his invention.
7. Claims 1-4 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

b. In claim 1, terms such as "the vertical support", "the vertical drive", "the base", "the drive of the hinge link" and "the drive of the inner part" lack antecedent basis within the claim.

c. Limitations such as "with the possibility of vertical turning", "with the possibility of horizontal turning", "a mechanism of a parallelogram type", and "with the possibility of turning along the axis of the boom" fail to positively claim the invention.

d. It is unclear as to how the applicant is considering claim 1 as drawn to gyrostabilized crane as recited in the preamble of claim 1, when the claim fails to include any structure drawn to the gyroscopic sensitive parts.

e. It is unclear as to how applicant is considering element 22 as a mechanism of a parallelogram type, as it is not disclosed or shown as a parallelogram.


f. It is unclear as to how applicant is using the term "electronic blocks" in line 11 of claim 1, as this appears to be mixing schematic diagram features with the actual structure of the device.

g. Why is claim 1 drawn to a gyrostabilized crane while claims 2-4 which depend from claim 1, are drawn to a hydrostabilizer crane?

h. Claim 3 considers element 27 and 19 as the hinge link while claim 1, from which claim 3 depends, has element 17 as the hinge link. It also has the inner part of the boom as 30, while claim 1 has it as element 2. It is also replete with indefinite language and terms lacking antecedent basis.

8. As the structure of the parallelogram "type" mechanism and the hinge link is not understood, the claims cannot be further treated on the merits with rejections based on prior art.

9. An inquiry concerning this action should be directed to Examiner Thomas J. Brahan at telephone number (703) 308-2568 on Mondays through Thursdays from 8:30-6:00 EST. The examiner's supervisor, Robert Olszewski, can be reached at (703) 308-5183. The fax number for Technology Center 3600 is (703) 305-7687.


THOMAS J. BRAHAN
PRIMARY EXAMINER